

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV. 11-2000)TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

1053.001B

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

Not yet assigned

10/500938

INTERNATIONAL APPLICATION NO.

PCT/US03/00741

INTERNATIONAL FILING DATE

10 January 2003 (10.01.03)

PRIORITY DATE CLAIMED

11 January 2002 (11.01.02)

TITLE OF INVENTION

Audio System Based on at Least Second-Order Eigenbeams

APPLICANT(S) FOR DO/EO/US

Gary W. Elko, Robert A. Kubli, and Jens M. Meyer

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV140152894US
23. ☒ Other items or information:

Postcard (1); Check for \$955.00; Certificate of Mailing Under 37 CFR 1.10; Copy of Published International Application No. PCT/US03/00741 (filed and published in English); and 7 References.

CALCULATIONS PTO USE ONLY

<input type="checkbox"/>	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1080.00
<input checked="" type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$920.00
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$770.00
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$730.00
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

\$920.00

\$0.00

\$990.00

\$0.00

\$0.00

\$1,910.00

\$955.00

\$955.00

\$0.00

\$955.00

\$0.00

\$955.00

Amount to be: refunded	\$
charged	\$

a. ☒ A check in the amount of \$955.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0782

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No.: 22186

Steve Mendelsohn
Mendelsohn & Associates, P.C.
1515 Market Street
Suite 715
Philadelphia, Pennsylvania 19102
US

SIGNATURE

Steve Mendelsohn

NAME _____

35,951

REGISTRATION NUMBER

7 | 8 | 04

DATE _____

10/500938

DT04 Rec'd PCT/PTO 0 8 JUL 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1053.001B

In re application of: Gary W. Elko, Robert A. Kubli, and Jens M. Meyer

Serial No.: Not yet assigned

Group No.: Not yet assigned

Filed: Not yet assigned

Examiner: Not yet assigned

For: Audio System Based on at Least Second-Order Eigenbeams

**CERTIFICATE OF MAILING BY
EXPRESS MAIL UNDER 37 CFR 1.10**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

ENCLOSED ARE:

1. Check in the amount of \$955.00;
2. Certificate of Mailing by Express Mail Under 37 C.F.R. 1.10 (1 page);
3. Transmittal of A Filing Under 35 U.S.C. 371 Form PTO-1390 (2 pages);
4. Copy of Published International Application No. PCT/US03/00741 (54 pages);
5. Information Disclosure Statement with Form PTO-1449 (3 pages);
6. International Search Report (PCT/ISA/210) (3 pages) with 7 references; and
7. Combined Declaration and Power of Attorney (5 pages).

I hereby certify that this **Transmittal Letter Concerning a Filing Under 35 USC 371, and all papers referenced** is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

"Express Mail" Mailing Label No. EV140152894US

Date of Deposit 07/08/2004

Amy Laudenslager
(Name of person mailing)


(Signature of person mailing)